

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MICROSOFT CORPORATION,  
a Washington corporation,

Plaintiff,

V.

**BELLAIRE COMPUTER & COMMUNICATION, INC.**, a Texas corporation d/b/a \$35 COMPUTER REPAIR; and **ANGELA CHEN**, an individual,

## Defendants.



CIVIL ACTION NO.

## COMPLAINT

This is an action by Microsoft Corporation ("Microsoft") to recover damages arising from infringement of Microsoft's copyrights and trademarks in its software programs by Bellaire Computer & Communication, Inc., a Texas corporation doing business as \$35 Computer Repair; and Angela Chen, an individual (collectively "Defendants") and to enjoin Defendants' future infringement. Defendants continued to distribute infringing Microsoft software even after Microsoft informed them of their illegal activity and warned them of the consequences. By this conduct, Defendants have infringed Microsoft's copyrights and trademarks, violated the Lanham Act by falsely designating the origin of software and/or related components, and engaged in unfair competition. Microsoft seeks damages, an accounting, the imposition of a constructive trust upon Defendants' illegal profits, and injunctive relief.

### **THE PARTIES**

1. Microsoft is a Washington corporation with its principal place of business located at One Microsoft Way, Redmond, Washington. Microsoft develops, markets, distributes and licenses computer software.

2. Upon information and belief, defendant Bellaire Computer & Communication, Inc. is a Texas corporation that does business as \$35 Computer Repair (collectively "\$35 Computer Repair"), in Houston, Texas. \$35 Computer Repair is engaged in the business of advertising, marketing, installing, offering, and distributing computer hardware and software, including purported Microsoft software.

3. Upon information and belief, defendant Angela Chen, an individual, is an owner, officer, director and/or otherwise controls \$35 Computer Repair. Upon information and belief, Angela Chen resides and transacts substantial business in this district. Upon information and belief, Angela Chen (a) personally participated in and/or (b) had the right and ability to supervise, direct and control the wrongful conduct alleged in this Complaint, (c) derived direct financial benefit from that wrongful conduct.

### **JURISDICTION**

4. This Court has subject matter jurisdiction over Microsoft's claims for trademark infringement, copyright infringement and related claims pursuant to 15 U.S.C. § 1121, 17 U.S.C. § 501, 28 U.S.C. § 1331 and 1338(a).

5. This Court has supplemental jurisdiction over Microsoft's claims arising under the laws of Texas pursuant to 28 U.S.C. § 1367(a) because these claims are so related to Microsoft's claims under federal law that they form part of the same case or controversy and derive from a common nucleus of operative fact.

### **VENUE**

6. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) and § 1400(a) because (a) the acts of infringement and other wrongful conduct alleged occurred in the Southern District of Texas, (b) Defendants may be found in the Southern District of Texas, and (c)

Defendants have a sufficient connection with the Southern District of Texas to make venue proper in this district, all as alleged in this Complaint.

**FACTS COMMON TO ALL CLAIMS**

7. Microsoft develops, advertises, markets, distributes, and licenses a number of computer software programs. Microsoft's software programs are recorded on magnetic diskettes and/or CD-ROMs, and they are packaged and distributed together with associated proprietary materials such as user's guides, user's manuals, end user license agreements, and other components.

8. Microsoft Windows XP Pro: Microsoft has developed, advertises, markets, distributes, and licenses a software package known as Microsoft Windows XP Professional ("Windows XP Pro"). Windows XP Pro is an operating system for desktop and laptop systems. It performs a number of computer-related operations including, but not limited to, providing support for various applications and allowing remote access to data and applications stored on Windows XP Pro desktops from network connections. Microsoft holds a valid copyright in Windows XP Pro (including user's reference manuals, user's guides, and screen displays) that was duly and properly registered with the United States Copyright Office. A true and correct copy of the Registration Certificate for Microsoft Windows XP Pro, bearing the number TX 5-407-055, is attached hereto as Exhibit 1 and is incorporated by reference.

9. Microsoft Office 2003 Professional: Microsoft Office 2003 Professional ("Office 2003 Pro") is a suite of popular Microsoft software programs. Microsoft holds a valid copyright in Office 2003 Pro (including user's reference manuals, user's guides, and screen displays) that was duly and properly registered with the United States Copyright Office. A true and correct copy of the Registration Certificate for Microsoft Office 2003 Pro, bearing the number TX-5-837-617, is attached hereto as Exhibit 2 and is incorporated by reference. Office 2003 Pro includes the following popular Microsoft software programs:

A. Microsoft Office Excel 2003, a program that allows users to create spreadsheets, perform calculations, and store numerical data. Microsoft holds a valid copyright

in Microsoft Office Excel 2003 (including user's reference manuals, user's guides, and screen displays) that was duly and properly registered with the United States Copyright Office. A true and correct copy of the Copyright Registration Certificate for Microsoft Office Excel 2003, bearing the number TX 5-837-636, is attached hereto as Exhibit 3 and is incorporated by reference.

B. Microsoft Office Outlook 2003, a program that allows users and networked teams to create and manage calendars, tasks, and contacts. Microsoft holds a valid copyright in Microsoft Office Outlook 2003 (including user's reference manuals, user's guides, and screen displays) that was duly and properly registered with the United States Copyright Office. A true and correct copy of the Copyright Registration Certificate for Microsoft Office Outlook 2003, bearing the number TX 5-900-087, is attached hereto as Exhibit 4 and is incorporated by reference.

C. Microsoft Office PowerPoint 2003, a program that allows users to create, organize, and present overhead and slide presentations. Microsoft holds a valid copyright in Microsoft Office PowerPoint 2003 (including user's reference manuals, user's guides, and screen displays) that was duly and properly registered with the United States Copyright Office. A true and correct copy of the Copyright Registration Certificate for Microsoft Office PowerPoint 2003, bearing the number TX 5-852-649, is attached hereto as Exhibit 5 and is incorporated by reference.

D. Microsoft Office Word 2003, a program that allows users to create and edit reports and documents. Microsoft holds a valid copyright in Microsoft Office Word 2003 (including user's reference manuals, user's guides, and screen displays) that was duly and properly registered with the United States Copyright Office. A true and correct copy of the Copyright Registration Certificate for Microsoft Office Word 2003, bearing the number TX 5-900-088, is attached hereto as Exhibit 6 and is incorporated by reference.

E. Microsoft Publisher 2003, a desktop publishing program that allows users to create, customize, and publish materials such as newsletters, brochures, flyers, catalogs, and

Web sites. Microsoft holds a valid copyright in Microsoft Publisher 2003 (including user's reference manuals, user's guides, and screen displays) that was duly and properly registered with the United States Copyright Office. A true and correct copy of the Copyright Registration Certificate for Microsoft Publisher 2003, bearing the number TX 5-837-618, is attached hereto as Exhibit 7 and is incorporated by reference.

F. Microsoft Business Contact Manager for Outlook 2003, a program which manages customer relationships. Microsoft holds a valid copyright in Business Contact Manager for Outlook 2003 (including user's reference manuals, user's guides, and screen displays) that was duly and properly registered with the United States Copyright Office. A true and correct copy of the Copyright Registration Certificate for Business Contact Manager for Outlook 2003, bearing the number TX 5-877-513, is attached hereto as Exhibit 8 and is incorporated by reference.

G. Microsoft Access 2003, a program that allows users to create and manipulate databases and store data. Microsoft holds a valid copyright in Microsoft Access 2003 (including user's reference manuals, user's guides, and screen displays) that was duly and properly registered with the United States Copyright Office. A true and correct copy of the Copyright Registration Certificate for Microsoft Access 2003, bearing the number TX 5-901-713, is attached hereto as Exhibit 9 and is incorporated by reference.

10. Microsoft has also duly and properly registered a number of trademarks and a service mark in the United States Patent and Trademark Office on the Principal Register, including, but not limited to:

A. "MICROSOFT," Trademark and Service Mark Registration No. 1,200,236, for computer programs and computer programming services;

B. "MICROSOFT," Trademark Registration No. 1,256,083, for computer hardware and software manuals, newsletters, and computer documentation;

C. WINDOWS, Trademark Registration No. 1,872,264 for computer programs and manuals sold as a unit;

D. COLORED FLAG DESIGN, Trademark Registration No. 2,744,843, for computer software;

E. "POWERPOINT," Trademark Registration No. 1,475,795, for pre-recorded computer programs recorded on magnetic disks;

F. "MICROSOFT ACCESS," Trademark Registration No. 1,741,086, for computer programs for use with databases and manuals sold as a unit;

G. "OUTLOOK," Trademark Registration No. 2,188,125, for computers programs, specifically programs providing enhanced electronic mail and scheduling capabilities and instructional manuals sold as a unit; and

H. COLOR FOUR SQUARE LOGO, Trademark Registration No. 2,999,281, for computer software, including application and business software for use in word processing, spreadsheets, presentation graphics, e-mail, and scheduling;

True and correct copies of the Trademark Registrations for A through H above are attached hereto as Exhibits 10 through 17, respectively, and are incorporated by reference.

#### **Defendants' Infringement**

11. Defendants are engaged in the advertising, marketing, installation, offering and distribution of computer hardware and software, including programs covered by Microsoft's registered copyrights and bearing Microsoft's registered trademarks or imitations thereof.

12. By letter dated June 27, 2008, Microsoft notified Defendants that it had received a report that they may have distributed illegal and/or unlicensed Microsoft software, and it warned them of the consequences of such misconduct.

13. By letter dated July 17, 2009, Microsoft notified Defendants that it had received another report that they may have distributed illegal and/or unlicensed Microsoft software, and it warned them of the consequences of such misconduct.

14. Nevertheless, in or about November 2009, Defendants distributed to an investigator computer systems with infringing Windows XP Pro and Office 2003 Pro software.

15. On information and belief, this is not an isolated incident. Rather, Defendants have been and continue to be involved in advertising, marketing, installing, offering, and/or distributing counterfeit and infringing copies of Microsoft software and/or related components to unidentified persons or entities. On information and belief, Defendants' distributions of purported Microsoft software are the result of Defendants' advertising and marketing the availability of such materials.

16. On information and belief, Defendants' wrongful conduct includes the advertising, marketing, installing, and/or distribution of infringing materials, specifically reproductions, copies, or colorable imitations of Microsoft copyrighted materials and/or the Microsoft trademarks, logos, and service mark described in this Complaint.

17. On information and belief, Defendants have committed and are continuing to commit acts of copyright and trademark infringement against Microsoft. On information and belief, at a minimum, Defendants were willfully blind and acted in reckless disregard of Microsoft registered copyrights and marks.

18. On information and belief, Microsoft has been harmed by the advertising activities, including the unauthorized use of Microsoft copyright protected material, and the unauthorized use of Microsoft marks to describe the items that Defendants are distributing. Through this conduct, Defendants have misappropriated Microsoft advertising ideas and style of doing business and have infringed Microsoft copyrights, titles, and slogans. On information and belief, the injuries and damages that Microsoft has sustained have been directly and proximately caused by Defendants' wrongful misappropriation of Microsoft advertising ideas and style of doing business and infringement of Microsoft copyrights, titles, and slogans.

**First Claim**

**[Copyright Infringement – 17 U.S.C. § 501, et seq.]**

**Against Defendants**

19. Microsoft repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 18, inclusive.

20. Microsoft is the sole owner of Microsoft Windows XP Pro, Office 2003 Pro, Office Excel 2003, Office Outlook 2003, Office PowerPoint 2003, Office Word 2003, Publisher 2003, Business Contact Manager for Outlook 2003, and Office Access 2003, and of their corresponding copyrights and Certificates of Registration.

21. Defendants have infringed the copyrights in Microsoft's software, including but not limited Microsoft Windows XP Pro, Office 2003 Pro, Office Excel 2003, Office Outlook 2003, Office PowerPoint 2003, Office Word 2003, Publisher 2003, Business Contact Manager for Outlook 2003, and Office Access 2003, by distributing infringing materials in the United States of America without approval or authorization from Microsoft.

22. At a minimum, Defendants acted with willful blindness to and in reckless disregard of Microsoft's registered copyright.

23. As a result of their wrongful conduct, Defendants are liable to Microsoft for copyright infringement. 17 U.S.C. § 501. Microsoft has suffered damages. Microsoft is entitled to recover damages, which include any and all profits Defendants have made as a result of their wrongful conduct. 17 U.S.C. § 504. Alternatively, Microsoft is entitled to statutory damages under 17 U.S.C. § 504(c).

24. In addition, because Defendants' infringement has been willful, within the meaning of the Copyright Act, the award of statutory damages should be enhanced in accordance with 17 U.S.C. § 504(c)(2).

25. Microsoft is also entitled to injunctive relief pursuant to 17 U.S.C. § 502 and to an order impounding any and all infringing materials pursuant to 17 U.S.C. § 503. Microsoft has no adequate remedy at law for Defendants' wrongful conduct because, among other things, (a) Microsoft's copyrights are unique and valuable property which have no readily determinable market value, (b) Defendants' infringement harms Microsoft's such that Microsoft could not be made whole by any monetary award, and (c) Defendants' wrongful conduct, and the resulting damage to Microsoft, is continuing.



26. Microsoft is also entitled to recover its attorneys' fees and costs of suit. 17 U.S.C. § 505.

**Second Claim**

**[Trademark Infringement – 15 U.S.C. § 1114]**

**Against Defendants**

27. Microsoft repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 26, inclusive.

28. Defendants' activities constitute infringement of Microsoft's federally registered trademarks and service mark in violation of the Lanham Trademark Act, including but not limited to 15 U.S.C. § 1114(1).

29. Because Microsoft advertises, markets, distributes, and licenses its software under the trademarks and service mark described in this Complaint, these trademarks and service mark are the means by which Microsoft's software is distinguished from the software and related items of others in the same or related fields.

30. Because of Microsoft's long, continuous, and exclusive use of these trademarks and service mark, they have come to mean, and are understood by customers, end users, and the public to signify, software programs or services of Microsoft.

31. The infringing materials that Defendants have and are continuing to use, offer, advertise, market, install, or distribute are likely to cause confusion, mistake, or deception as to their source, origin, or authenticity.

32. Further, Defendants' activities are likely to lead the public to conclude, incorrectly, that the infringing materials that Defendants are using, advertising, marketing, installing, offering, or distributing originate with or are authorized by Microsoft, to the damage and harm of Microsoft, its licensees, and the public.

33. Upon information and belief, Defendants used, offered, advertised, marketed, installed, or distributed infringing material with the purposes of misleading, deceiving, or

confusing customers and the public as to the origin and authenticity of the infringing materials and of trading upon Microsoft's business reputation.

34. At a minimum, Defendants acted with willful blindness to and in reckless disregard of Microsoft's registered marks.

35. As a result of their wrongful conduct, Defendants are liable to Microsoft for trademark infringement. 15 U.S.C. § 1114(1). Microsoft has suffered damages. Microsoft is entitled to recover damages, which include any and all profits Defendants have made as a result of their wrongful conduct. 15 U.S.C. § 1117(a).

36. In addition, because Defendants' infringement of Microsoft's trademarks and service mark was willful, within the meaning of the Lanham Act, the award of actual damages and profits should be trebled pursuant to 15 U.S.C. § 1117(b). Alternatively, Microsoft is entitled to statutory damages under 15 U.S.C. § 1117(c).

37. Microsoft is also entitled to injunctive relief pursuant to 15 U.S.C. § 1116(a) and to an order compelling the impounding of all infringing materials being used, offered, marketed, or distributed by Defendants pursuant to 15 U.S.C. § 1116, subsections (a) and (d)(1)(A), and 28 U.S.C. § 1651. Microsoft has no adequate remedy at law for Defendants' wrongful conduct because, among other things, (a) Microsoft's trademarks and service mark are unique and valuable property which have no readily determinable market value, (b) Defendants' infringement constitutes harm to Microsoft's such that Microsoft could not be made whole by any monetary award, (c) if Defendants' wrongful conduct is allowed to continue, the public is likely to become further confused, mistaken, or deceived as to the source, origin or authenticity of the infringing materials, and (d) Defendants' wrongful conduct, and the resulting damage to Microsoft, is continuing.

38. Microsoft is also entitled to recover its attorneys' fees and costs of suit. 15 U.S.C. § 1117.

**Third Claim**

**[False Designation Of Origin, False Description And  
Representation Of Microsoft Packaging – 15 U.S.C. § 1125 et seq.]**

**Against Defendants**

39. Microsoft repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 38, inclusive.

40. Because Microsoft advertises, markets, distributes, and licenses its software under the trademarks and service mark described in this Complaint, these trademarks and service mark are the means by which Microsoft's software is distinguished from the software or products of others in the same field or related fields.

41. Because of Microsoft's long, continuous, and exclusive use of these trademarks and service mark, they have come to mean, and are understood by customers, end users, and the public to signify, software or services of Microsoft.

42. Microsoft has also designed distinctive and aesthetically pleasing displays, logos, icons, graphic images, and packaging (collectively, "Microsoft visual designs") for its software programs.

43. Defendants' wrongful conduct includes the use of Microsoft's marks, name, and/or imitation visual designs, specifically displays, logos, icons, graphic designs, and/or packaging virtually indistinguishable from Microsoft visual designs, in connection with their goods and services.

44. Upon information and belief, Defendants engaged in such wrongful conduct with the willful purpose of misleading, deceiving, or confusing customers and the public as to the origin and authenticity of the goods and services offered, marketed or distributed in connection with Microsoft's marks, name, and imitation visual designs, and of trading upon Microsoft's goodwill and business reputation. Defendants' conduct constitutes (a) false designation of origin, (b) false or misleading description, and (c) false or misleading representation that the imitation

visual images originate from or are authorized by Microsoft, all in violation of § 43(a) of the Lanham Trademark Act, set forth at 15 U.S.C. § 1125(a).

45. Defendants' wrongful conduct is likely to continue unless restrained and enjoined.

46. As a result of Defendants' wrongful conduct, Microsoft has suffered and will continue to suffer damages. Microsoft is entitled to injunctive relief and to an order compelling the impounding of all imitation marks and visual designs being used, offered, advertised, marketed, installed, or distributed by Defendants. Microsoft has no adequate remedy at law for Defendants' wrongful conduct because, among other things, (a) Microsoft's marks, name and visual designs are unique and valuable property which have no readily-determinable market value, (b) Defendants' advertising, marketing, installation, or distribution of imitation visual designs constitutes harm to Microsoft such that Microsoft could not be made whole by any monetary award, and (c) Defendants' wrongful conduct, and the resulting damage to Microsoft, is continuing.

#### **Fourth Claim**

#### **[Texas Common Law Unfair Competition]**

#### **Against Defendants**

47. Microsoft realleges, and incorporates by this reference, each and every allegation set forth in paragraphs 1 through 46, inclusive.

48. The acts and conduct of Defendants as alleged above in this complaint constitute unfair competition pursuant to the common law of the State of Texas.

49. Defendants' acts and conduct as alleged above have damaged and will continue to damage Microsoft and have resulted in an illicit gain of profit to Defendants in an amount that is unknown at the present time.

**Fifth Claim**

**[For Imposition Of A Constructive Trust Upon Illegal Profits]**

**Against Defendants**

50. Microsoft repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 49, inclusive.

51. Defendants' conduct constitutes deceptive, fraudulent, and wrongful conduct in the nature of passing off the infringing materials as genuine Microsoft software or related components approved or authorized by Microsoft.

52. By virtue of Defendants' wrongful conduct, Defendants have illegally received money and profits that rightfully belong to Microsoft.

53. Upon information and belief, Defendants hold the illegally received money and profits in the form of bank accounts, real property, or personal property that can be located and traced.

54. Defendants hold the money and profits they have illegally received as constructive trustees for the benefit of Microsoft.

**Sixth Claim**

**[Accounting]**

**Against Defendants**

55. Microsoft repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 54, inclusive.

56. Microsoft is entitled, pursuant to 17 U.S.C. § 504 and 15 U.S.C. § 1117, to recover any and all profits of Defendants that are attributable to their acts of infringement.

57. Microsoft is entitled, pursuant to 17 U.S.C. § 504 and 15 U.S.C. § 1117, to actual damages or statutory damages sustained by virtue of Defendants' acts of infringement.

58. The amount of money due from Defendants to Microsoft is unknown to Microsoft and cannot be ascertained without a detailed accounting by Defendants of the precise number of units of infringing material offered for distribution and distributed by Defendants.

**PRAYER FOR RELIEF**

WHEREFORE, Microsoft respectfully requests judgment as follows:

(1) That the Court enter a judgment against Defendants as indicated below:

(a) that Defendants have willfully infringed Microsoft's rights in the following federally registered copyrights, in violation of 17 U.S.C. § 501:

- (1) TX 5-407-055 ("Windows XP Professional");
  - (2) TX 5-837-617 ("Office 2003 Professional");
  - (3) TX 5-837-636 ("Office Excel 2003");
  - (4) TX 5-900-087 ("Office Outlook 2003");
  - (5) TX 5-852-649 ("Office PowerPoint 2003");
  - (6) TX 5-837-618 ("Publisher 2003");
  - (7) TX 5-900-088 ("Office Word 2003");
  - (8) TX 5-877-513 ("Business Contact Manager for Outlook 2003");
- and
- (9) TX 5-901-713 ("Access 2003");

(b) that Defendants have willfully infringed Microsoft's rights in the following federally registered trademarks and service mark, in violation of 15 U.S.C. § 1114:

- (1) 1,200,236 ("MICROSOFT");
- (2) 1,256,083 ("MICROSOFT");
- (3) 1,872,264 ("WINDOWS");
- (4) 2,744,843 (COLORED FLAG DESIGN);
- (5) 1,475,795 ("POWERPOINT");
- (6) 1,741,086 ("MICROSOFT ACCESS");
- (7) 2,188,125 ("OUTLOOK"); and
- (8) 2,999,281 (COLOR FOUR SQUARE LOGO);

(c) that Defendants have committed and are committing acts of false designation of origin, false or misleading description of fact, and false or misleading representation against Microsoft, in violation of 15 U.S.C. § 1125(a);

(d) that Defendants have engaged in unfair competition in violation of Texas common law; and

(e) that Defendants have otherwise injured the business reputation and business of Microsoft by the acts and conduct set forth in this Complaint.

(2) That the Court issue injunctive relief against Defendants, and that Defendants, their directors, principals, officers, agents, representatives, servants, employees, attorneys, successors and assigns, and all others in active concert or participation with Defendants, be enjoined and restrained from:

(a) imitating, copying, or making any other infringing use or infringing distribution of the software programs, components and/or items now or hereafter protected by the following copyright Certificate Registration Nos.:

- (1) TX 5-407-055 ("Windows XP Professional");
  - (2) TX 5-837-617 ("Office 2003 Professional");
  - (3) TX 5-837-636 ("Office Excel 2003");
  - (4) TX 5-900-087 ("Office Outlook 2003");
  - (5) TX 5-852-649 ("Office PowerPoint 2003");
  - (6) TX 5-837-618 ("Publisher 2003");
  - (7) TX 5-900-088 ("Office Word 2003");
  - (8) TX 5-877-513 ("Business Contact Manager for Outlook 2003");
- and
- (9) TX 5-901-713 ("Access 2003");

or the software programs, components and/or items protected by the following Trademark Registration Nos.:

- (1) 1,200,236 ("MICROSOFT");

- (2) 1,256,083 ("MICROSOFT");
- (3) 1,872,264 ("WINDOWS");
- (4) 2,744,843 (COLORED FLAG DESIGN);
- (5) 1,475,795 ("POWERPOINT");
- (6) 1,741,086 ("MICROSOFT ACCESS");
- (7) 2,188,125 ("OUTLOOK"); and
- (8) 2,999,281 (COLOR FOUR SQUARE LOGO);

and any other items or works now or hereafter protected by any Microsoft trademark or copyright;

(b) manufacturing, assembling, producing, distributing, offering for distribution, circulating, selling, offering for sale, advertising, importing, promoting, or displaying any software program, component, and/or item bearing any simulation, reproduction, counterfeit, copy, or colorable imitation of any of Microsoft's registered trademarks, service mark, or copyrights, including, but not limited to, the Trademark, Service Mark, and Copyright Registration Numbers listed in Sections (2)(a) above;

(c) using any simulation, reproduction, counterfeit, copy, or colorable imitation of Microsoft's registered trademarks, service mark, or copyright including, but not limited to the Trademark, Service Mark, and Copyright Registration Numbers listed in Section (2)(a) above, in connection with the manufacture, assembly, production, distribution, offering for distribution, circulation, sale, offering for sale, import, advertisement, promotion, or display of any software program, component, and/or item not authorized or licensed by Microsoft;

(d) using any false designation of origin or false or misleading description or false or misleading representation that can or is likely to lead the trade or public or individuals erroneously to believe that any software program, component, and/or item has been manufactured, assembled, produced, distributed, offered for distribution, circulation, sold, offered for sale, imported, advertised, promoted, displayed, licensed, sponsored, approved, or authorized by or for Microsoft, when such is not true in fact;



(e) engaging in any other activity constituting an infringement of any of Microsoft's trademarks, service mark and/or copyrights, or of Microsoft's rights in, or right to use or to exploit, these trademarks, service mark, and/or copyrights; and

(f) assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (e) above.

(3) That the Court enter an order of impoundment pursuant to 15 U.S.C. § 1116(a)(d)(1)(A), 17 U.S.C. §§ 503 and 509(a), and 28 U.S.C. § 1651(a) impounding all counterfeit and infringing copies of purported Microsoft software and/or materials bearing any of Microsoft's trademarks or service mark, and any related item, including business records, that is in Defendants' possession or under their control;

(4) That the Court enter an order declaring that Defendants hold in trust, as constructive trustees for the benefit of Microsoft, their illegal profits obtained from their distribution of counterfeit and infringing copies of Microsoft's software, and requiring Defendants to provide Microsoft a full and complete accounting of all amounts due and owing to Microsoft as a result of Defendants' illegal activities.

(5) That the Court order Defendants to pay Microsoft's general, special, actual, and statutory damages as follows:

(a) Microsoft's damages and Defendants' profits pursuant to 17 U.S.C. § 504(b), or alternatively, enhanced statutory damages pursuant to 17 U.S.C. § 504(c), and 17 U.S.C. § 504(c)(2), for Defendants' willful infringement of Microsoft's copyrights;

(b) Microsoft's damages and Defendants' profits pursuant to 15 U.S.C. § 1117(a), trebled pursuant to 15 U.S.C. § 1117(b) for Defendants' willful violation of Microsoft's registered trademarks and service mark, or in the alternative, statutory damages pursuant to 15 U.S.C. § 1117(c) for each counterfeit mark; and

(c) Microsoft's damages and Defendants' profits pursuant to Texas common law.

(6) That the Court order Defendants to pay to Microsoft both the costs of this action and the reasonable attorneys' fees incurred by it in prosecuting this action; and

(7) That the Court grant to Microsoft such other and additional relief as is just and proper.

Respectfully submitted,

Dated: December 1, 2009

S/ *David W. Klaudt*

David W. Klaudt  
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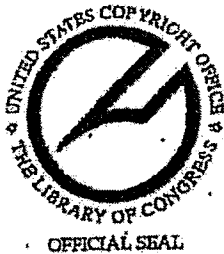
**ATTORNEYS FOR PLAINTIFF  
MICROSOFT CORPORATION**

# **Exhibit**

# **1**

06/03/02 MON 13:45 FAX 420004122

## CERTIFICATE OF REGISTRATION



OFFICIAL SEAL

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*  
REGISTER OF COPYRIGHTS  
United States of America

## FORM TX

For a Nondramatic Literary Work  
UNITED STATES COPYRIGHT OFFICE

TX 5-407-055



EFFECTIVE DATE OF REGISTRATION

Nov. 6, 2001

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

## TITLE OF THIS WORK

Microsoft Windows XP Professional

## PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give: Volume Number Issue Date On Page

2

## NAME OF AUTHOR

a Microsoft Corporation

Was this contribution to the work a "work made for hire"?  
☒ Yes  
☐ No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of: Domiciled in:

## DATES OF BIRTH AND DEATH

Year Born Year Died

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No  
Pseudonym? ☐ Yes ☒ No

## NOTE

Under the law, the "author" of a "work made for hire" is the employer, not the employee. For any part of this work that has been "made for hire," check "Yes" in the space provided, and the employer for that portion of the work is the author. For the portion of the work that was prepared by the author, check "No" in the space provided, and the author is the author.

## NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed.

## NAME OF AUTHOR

Was this contribution to the work a "work made for hire"?  
☐ Yes  
☒ No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of: Domiciled in:

## DATES OF BIRTH AND DEATH

Year Born Year Died

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No  
Pseudonym? ☐ Yes ☒ No

## NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed.

## NAME OF AUTHOR

Was this contribution to the work a "work made for hire"?  
☐ Yes  
☒ No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of: Domiciled in:

## DATES OF BIRTH AND DEATH

Year Born Year Died

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No  
Pseudonym? ☐ Yes ☒ No

## NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed.

3

## YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2001

## DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

10

USA

Day 25 Year 2001

4

## COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

Microsoft Corporation  
Law and Corporate Affairs  
One Microsoft Way  
Redmond, WA 98052

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

## APPLICATION RECEIVED

NOV 06 2001

## ONE DEPOSIT RECEIVED

## TWO DEPOSITS RECEIVED

NOV 06 2001

## FUNDS RECEIVED

MORE ON BACK

- Complete all applicable spaces (numbers 1-9) on the reverse side of this page.  
- See detailed instructions. - Sign the bottom of the 2.

DO NOT WRITE HERE  
Page 1 of 2 pages

06/01/02 MON 12:48 PM

EXAMINED BY <u>Tim</u>	FORM TX
CHECKED BY	
<input type="checkbox"/> CORRESPONDENCE	FOR COPYRIGHT OFFICE USE ONLY
<input type="checkbox"/> Yes	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

a. ☐ Yes ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.)b. ☐ This is the first published edition of a work previously registered in unpublished form.c. ☐ This is the first application submitted by this author as copyright claimant.d. ☐ This is a changed version of the work, as shown by space 8 on this application.

If your answer is "Yes," give Previous Registration Number

Year of Registration

TX 5-038-257

2000

## DERIVATIVE WORK OR COMPILED

Presenting Material Identify any preceding work of works that this work is based on or incorporates.

a. Previous version &amp; files copyrighted by various third parties

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.

Additional programming text, additional written text, and editorial revisions

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

a. Microsoft Corporation

DAO63819

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP

b. Microsoft Corporation, ATTN: Judy Weston

One Microsoft Way

Redmond, WA 98082

Area code and office telephone number: (425) 936-9104

Fax number: (425) 936-7328

Email: Judywest@microsoft.com

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one

☐ Author☐ Other copyright claimant☐ Owner of exclusive right(s)☒ Subscribed agent of Microsoft Corporation

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Name of author or other copyright claimant, or owner of exclusive right(s)

Typed or printed name and date If this application gives a date of publication in space 8, do not sign and submit it before that date.

Judy K.K. Weston

Date: November 5, 2001


The filing fee of \$20.00 is effective through June 30, 1999. After that date, please write the Copyright Office, check the Copyright Office Website at <http://www.copyright.gov/copyright>, or call (202) 707-3000 for the latest fee information.

Mail certificate to:

Certificate will be mailed in window envelope

Name: Microsoft Corporation, ATTN: Judy Weston

Law and Corporate Affairs

Number/Street

One Microsoft Way

City/State/ZIP

Redmond, WA 98082

<b>YOU MUST:</b> • Complete all necessary forms • Pay your registration fee • If you are a foreign author, you must also file a statement of origin with the Copyright Office	9
<b>IF YOU ARE A FOREIGN AUTHOR:</b> 1. Application form 2. Statement of origin (to be checked by Copyright Office) 3. Deposit material	
<b>IF YOU ARE A U.S. AUTHOR:</b> 1. Application form 2. Deposit material	

U.S.C. § 405(c)(4) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 402, or by any return statement filed in connection with the application, shall be fined not more than \$1,000.

December 1998 - 25,000

U.S. GOVERNMENT PRINTING OFFICE: 1994-25-000-000

# **Exhibit**

# **2**

# CERTIFICATE OF REGISTRATION



OFFICIAL SEAL

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*  
REGISTER OF COPYRIGHTS  
United States of America

## FORM TX

For a Non-Commercial Library Work  
UNITED STATES COPYRIGHT OFFICE

REQ

TX 5-837-817

EFFECTIVE DATE OF REGISTRATION

12 9 03

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

1

## TITLE OF THIS WORK

Microsoft Office Professional Edition 2003

## PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical serial or collection, give information about the serial or collection in which the contribution appeared. Title of Collective Work

If published in a periodical serial give Volume Number Issue Date On Page

2

## NAME OF AUTHOR

a Microsoft Corporation

## DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a

work made for hire?

Yes

No

## AUTHOR'S NATIONALITY OR DOMICILE

Country

OR

Citizen of U.S.

Domiciled in U.S.

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Assignment

Yes

No

Participation

Yes

No

## NATURE OF AUTHORSHIP Briefly describe the nature of material created by the author in which copyright is claimed.

Entire work - computer software program, documentation &amp; test on product packaging

## NAME OF AUTHOR

b

## DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a

work made for hire?

Yes

No

## AUTHOR'S NATIONALITY OR DOMICILE

Country

OR

Citizen of U.S.

Domiciled in U.S.

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Assignment

Yes

No

Participation

Yes

No

## NATURE OF AUTHORSHIP Briefly describe the nature of material created by the author in which copyright is claimed.

## NAME OF AUTHOR

c

## DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a

work made for hire?

Yes

No

## AUTHOR'S NATIONALITY OR DOMICILE

Country

OR

Citizen of U.S.

Domiciled in U.S.

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Assignment

Yes

No

Participation

Yes

No

## NATURE OF AUTHORSHIP Briefly describe the nature of material created by the author in which copyright is claimed.

3

## YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

a 2003

## DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

b Date of First Publication Month Year

2003 08 21

Country of First Publication

USA

4

## COPYRIGHT CLAIMANT Name and address must be given even if the claimant is the same as the author given in question 2.

Microsoft Corporation  
Law and Corporate Affairs  
One Microsoft Way  
Redmond WA 98052

TRANSFER If the claimant(s) named here is/are not the author(s) named in question 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

NOTICE RECEIVED

DEC 11 2003

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

DEC 09 2003

FUNDS RECEIVED

MORE ON BACK - Complete on applicable spaces (numbers 5-8) on the reverse side of this page.  
- Use dotted cut lines.  
- Separate from other sheets.

Do Not Write Here  
Page 1 of 2 pages

EXAMINED BY	FORM TX
CHECKED BY	
<input type="checkbox"/> CORRESPONDENCE	FOR COPYRIGHT OFFICE USE ONLY
Yes	

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work or for an earlier version of this work, already been made in the Copyright Office?

a. ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ☒ Yesb. ☐ This is the first published edition of a work previously registered in unpublished formc. ☐ This is the first application submitted by this author as copyright claimantd. ☒ This is a changed version of the work, as shown by space 6 on this applicationIf your answer is "Yes," give Previous Registration Number Year of Registration 

TX 5-328-272

2001

## DERIVATIVE WORK OR COMPILED WORK

Derivative Work: Identify any preexisting work or works that this work is based on or incorporates. 

a. PREVIOUS VERSIONS THAT HAVE BEEN REPRODUCED BY VARIOUS PARTIES

b. Material Added to This Work: Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. 

Additional programming text, additional written text, and editorial revisions

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account. 

a. Microsoft Corporation

DAO63818

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/ZIP b. Microsoft Corporation, ATTN: Judy Weston  
One Microsoft Way  
Redmond, WA 98052

Area code and daytime telephone number &gt; (425) 708-8104

Fax number &gt; (425) 836-7329

E-mail &gt; jweston@microsoft.com

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one &gt;

☒ Author☐ Derivative copyright claimant☐ Owner of exclusive rights☒ Authorized agent of Microsoft CorporationName of owner or other copyright claimant, or owner of exclusive rights > 

Typed or printed name and date &gt; If this application gives a date of publication in space 2, do not sign and submit it before that date

Judy K.K. Weston

Date: 12.4.03

☒ X *[Signature]*

☐ *[Signature]*

Mail certificate to:

Certificate will be mailed in return envelope.

Name >	Microsoft Corporation, ATTN: Judy Weston Law and Corporate Affairs
Address >	One Microsoft Way Redmond, WA 98052

1. FEE	\$35.00
2. FEE	\$35.00
3. FEE	\$35.00
4. FEE	\$35.00
5. FEE	\$35.00
6. FEE	\$35.00
7. FEE	\$35.00
8. FEE	\$35.00
9. FEE	\$35.00
10. FEE	\$35.00

U.S. GOVERNMENT PRINTING OFFICE: 2000-21-000

U.S. GOVERNMENT PRINTING OFFICE: 2000-21-000



# **Exhibit**

# **3**

## CERTIFICATE OF REGISTRATION



OFFICIAL SEAL

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Margbeth Peters*

REGISTER OF COPYRIGHTS  
United States of America

## FORM TX

For a Non-dramatic Literary Work  
UNITED STATES COPYRIGHT OFFICE

TX 5-837-836



EFFECTIVE DATE OF REGISTRATION

12 9 03

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

## TITLE OF THIS WORK V

Microsoft Office Excel 2003

## PREVIOUS OR ALTERNATIVE TITLES V

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work V

If published in a periodical or serial give Volume V Number V Issue Date V Part Page V

2

a NAME OF AUTHOR V  
Microsoft Corporation

DATE OF BIRTH AND DEATH  
Year Born V Year Died V

Was this contribution to the work a  
"work made for hire"?  
☒ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE  
State of Country  
OR  
Citizen of P.  
Domiciled in U.S.

WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORK  
Assignment? ☐ Yes ☒ No  
Funding/Support? ☐ Yes ☒ No

## NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the contributor. For any part of this work that was "made for hire" check "Yes" on the space provided, give the employer's full name and address for whom the work was prepared as "author" of that part, and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed. V  
Entire work - computer software program, documentation & test on product packaging

## NAME OF AUTHOR V

DATE OF BIRTH AND DEATH  
Year Born V Year Died V

Was this contribution to the work a  
"work made for hire"?  
☐ Yes  
☒ No

AUTHOR'S NATIONALITY OR DOMICILE  
State of Country  
OR  
Citizen of P.  
Domiciled in U.S.

WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORK  
Assignment? ☐ Yes ☒ No  
Funding/Support? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed. V

## NAME OF AUTHOR V

DATE OF BIRTH AND DEATH  
Year Born V Year Died V

Was this contribution to the work a  
"work made for hire"?  
☐ Yes  
☒ No

AUTHOR'S NATIONALITY OR DOMICILE  
State of Country  
OR  
Citizen of P.  
Domiciled in U.S.

WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORK  
Assignment? ☐ Yes ☒ No  
Funding/Support? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed. V

3

a YEAR IN WHICH CREATION OF THIS  
WORK WAS COMPLETED  
2003

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK  
Month Day Year  
21 Dec 2003  
U.S.A.

4

4 COPYRIGHT CLAIMANT'S Name and address must be given even if the claimant is the same as the author given in space 2. V Microsoft Corporation  
Law and Corporate Affairs  
One Microsoft Way  
Redmond, WA 98052

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. V

APPROPRIATE RECORDS  
DEC 09 2003

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED  
DEC 09 2003

THREE DEPOSITS RECEIVED

MORE ON BACK > • Complete all applicable spaces (numbers 5-12) on the reverse side of this page.  
• Sign the form at line 12.

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Page 1 of 2

EXAMINED BY <u>NO</u>	FORM TX
CHECKED BY <u></u>	
<input type="checkbox"/> CORRESPONDENCE	FOR COPYRIGHT OFFICE USE ONLY
Yes	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION This registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

a. ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ☒ Yesb. ☐ This is the first published edition of a work previously registered in unpublished form.c. ☐ This is the first application submitted by this author or copyright claimant.d. ☒ This is a changed version of the work, as shown by space 6 on this application.If your answer is "Yes," give Previous Registration Number ☒ TX 6-318-231Year of Registration ☒ 2001

## DERIVATIVE WORK OR COMPILE

Providing Material Identify any preceding work or works that this work is based on or incorporates. ☒ Yes

a. PREVIOUS VERSION IS NOW COPYRIGHTED BY VARIOUS FIRM NAMES

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ☒ Yes  
Additional programming text, additional written text, and editorial revisions

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ☒ Yes

a. Microsoft Corporation

Account Number ☒ DAO03819CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/ZIP ☒ Yes

b. Microsoft Corporation, ATTN: Judy Weston

One Microsoft Way

Redmond, WA 98052

Area code and daytime telephone number ☒ (425) 706-8104Fax number ☒ (425) 936-7329Email ☒ judywe@microsoft.com

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one ☒ author☐ other copyright claimant☐ owner of exclusive rights

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

☒ authorized agent of Microsoft Corporation

Name of author or other copyright claimant, or owner of exclusive rights

Typed or printed name and date ☒ If this application gives a date of publication in space 2, do not sign and submit it before that date.

Judy K.K. Weston

Date ☒ 12.4.03Handwritten Signature (s) ☒ Yes

X Judy K.K. Weston

\_\_\_\_\_

Mail certificate to:

Certificate will be mailed in self-addressed envelope

Name <input checked="" type="checkbox"/> Yes	Microsoft Corporation, ATTN: Judy Weston
Work/Inventor <input checked="" type="checkbox"/> Yes	Law and Corporate Affairs
Address <input checked="" type="checkbox"/> Yes	One Microsoft Way
City/State/ZIP <input checked="" type="checkbox"/> Yes	Redmond, WA 98052

U.S. GOVERNMENT PRINTING OFFICE: 1995-404-000/200

U.S. GOVERNMENT PRINTING OFFICE: 1995-404-000/200

# **Exhibit**

# **4**

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*  
 Register of Copyrights, United States of America

FORM TX

For a Hardcopy of This Form  
UNITED STATES COPYRIGHT OFFICE

TX 6-900-087



EFFECTIVE DATE OF REGISTRATION

JAN 09 2004

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK

Microsoft Office Outlook 2003

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the contribution in which the contribution appeared. Title of Collection Work

If published in a periodical or serial give: Volume

Number

Serial Date

On Pages

NAME OF AUTHOR

Microsoft Corporation

DATES OF BIRTH AND DEATH

Year Born

Year Died

Was this contribution to the work a:

AUTHOR'S NATIONALITY OR DOMICILE

WAS THIS AUTHOR'S CONTRIBUTION TO

THE WORK

Appointed

Yes

No

If the author is other

than the contributor

this was not a contribution

NATURE OF AUTHORSHIP

Briefly state the nature of principal created by this author in which copyright is claimed.

Entire work - computer software program, documentation &amp; test on product packaging

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Year Born

Year Died

Was this contribution to the work a:

AUTHOR'S NATIONALITY OR DOMICILE

WAS THIS AUTHOR'S CONTRIBUTION TO

THE WORK

Appointed

Yes

No

If the author is other

than the contributor

this was not a contribution

NATURE OF AUTHORSHIP

Briefly state the nature of principal created by this author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Year Born

Year Died

Was this contribution to the work a:

AUTHOR'S NATIONALITY OR DOMICILE

WAS THIS AUTHOR'S CONTRIBUTION TO

THE WORK

Appointed

Yes

No

If the author is other

than the contributor

this was not a contribution

NATURE OF AUTHORSHIP

Briefly state the nature of principal created by this author in which copyright is claimed.

YEAR IN WHICH CREATION OF THIS

WORK WAS COMPLETED

2003

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

January 9, 2003

U.S.A.

COPYRIGHT CLAIMANT(S) Please list the claimant(s) in the space provided.

Microsoft Corporation

Law and Corporate Affairs

One Microsoft Way

Redmond, WA 98072

APPLICATION RECEIVED

JAN 09 2004

THE OFFICE RECEIVED

JAN 09 2004

THE OFFICE RECEIVED

MORE ON BACK - Complete the Application Form (TX-400) on the reverse side of this page. If the Copyright Office requires additional information, you will be notified.

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Page 1 of 1

EXAMINED BY

FORM TX

CHECKED BY

CORRESPONDENCE

Yes

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made at the Copyright Office?

a. ☐ No. If your answer is "Yes," why is another registration being sought? (Check appropriate box) ☒ Yesb. ☐ This is the first published edition of a work previously registered in unpublished form.c. ☐ This is the first application submitted by this author or copyright claimant.d. ☐ This is a changed version of the work, as shown by serial 6 on this application.If your answer is "Yes," give Publisher/Registration Number ☐ YesYear of Registration ☐ Yes

TX 0-371-422

2001

DERIVATIVE WORK OR COMPILE

Prescribing Material Identify any preexisting work or works that this work is based on or incorporates. ☐ Yes

Previous version &amp; title copyrighted by various third parties

Material Added to This Work Give a brief general statement of the material that has been added to this work and to which copyright is claimed. ☐ Yes

Additional programming text, additional written text, and editorial revisions

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give serial and number of Account ☐ Yes

Microsoft Corporation

DAO83819

CORRESPONDENCE Give serial and address to which correspondence about this application should be sent. ☐ Yes

Microsoft Corporation, ATTN: Judy Weston

One Microsoft Way

Redmond, WA 98052

Telephone and daytime telephone number ☐ Yes (425) 708-8104Fax number ☐ Yes (425) 936-7329Email ☐ Yes judywe@microsoft.com

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one ☐ author☐ other copyright claimant☐ owner of exclusive rights

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

I am authorized agent of Microsoft Corporation

Signatures of author or other copyright claimant, or owner of exclusive rights ☐ YesTyped or printed name and date ☐ If this application gives a date of publication in serial 6, do not sign and submit it before that date.

Judy K.K. Weston

Date 1-03-04

Name of person signing for you ☐ Yes

X Judy K.K. Weston

Mail certificate to:

Name ☐ Yes Microsoft Corporation, ATTN: Judy Weston  
Law and Corporate AffairsNon-recipient ☐ Yes

One Microsoft Way

Copyright ☐ Yes

Redmond, WA 98052

Certificates will be mailed in envelope envelope

© U.S. Govt. 0-371-422 Any person who knowingly makes a false representation of a material fact in this application for copyright registration provided for by section 405, or in any written statement that is submitted with the application, shall be fined not more than \$2,500.

© Microsoft Corporation

U.S. GOVERNMENT PRINTING OFFICE: 2000-04-07/00000000

# **Exhibit**

# **5**

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America

## FORM TX

For a Non-works Library Work  
UNITED STATES COPYRIGHT OFFICE

TX 5-852-849



EFFECTIVE DATE OF REGISTRATION

12 9 03

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

## TITLE OF THIS WORK

Microsoft Office PowerPoint 2003

## PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If the work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared Title of Collective Work

If published in a periodical or serial give Volume Number Issue Date On Page

2

## NAME OF AUTHOR

Microsoft Corporation

## DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

☒ Yes

☐ No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

☒ Citizen of U.S.

☐ Domiciled in U.S.

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed. Entire work - computer software program, documentation & text on product packaging

## NAME OF AUTHOR

## DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

☐ Yes

☐ No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

☐ Citizen of U.S.

☐ Domiciled in U.S.

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed.

## NAME OF AUTHOR

## DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

☐ Yes

☐ No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

☐ Citizen of U.S.

☐ Domiciled in U.S.

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed.

3

## YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2003

## DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Country: United States Date: 09/01/03

4

## CONTINUED CLAIMANT'S Name and Address (give in full) If the claimant is the author of the work, give in full the name of the author.

Microsoft Corporation

Law and Corporate Affairs

One Microsoft Way

Redmond, WA 98052

TRANSFER If the claimant is not the author of the work, give in full the name of the author of the work and the name of the claimant.

## DATE OF DEPOSIT RECEIVED

DEC 1 3 2003

## TWO DEPOSITS REQUIRED

DEC 6 9 2003

## FUNDS RECEIVED

MORE ON BACK - Complete all applicable spaces (numbers 1-3) on the reverse side of this page. Do not detach this page.

NO COPY BEHIND HERE  
Page 1 of 1



EXAMINER'S USE ONLY	FORM TX
CHECKED BY	
<input type="checkbox"/> CORRESPONDENCE	FOR COPYRIGHT OFFICE USE ONLY
Yes	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

If Yes ☐ No ☐ If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ☒ **5**a ☐ This is the first published edition of a work previously registered in unpublished formb ☐ This is the first application submitted by this author or copyright claimant.c ☒ This is a changed version of the work, as shown by space 6 on this applicationIf your answer is "Yes," give Previous Registration Number: **TX 5-318-232**Year of Registration **2001**

## DERIVATIVE WORK OR COMPILATION

Provide a brief statement of the material that this work is based on or incorporates. **6**a **Previous version & was copyrighted by various third parties**b Material Added to This Work: Give a brief, general statement of the material that has been added to this work and to which copyright is claimed. **Additional programming text, additional written text, and editorial revisions**

See instructions before completing this space

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account. **7**a **Microsoft Corporation**

DAO63819

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Attn/Phone/Fax/E-mail **8**b **Microsoft Corporation, ATTN: Judy Weston****One Microsoft Way****Redmond, WA 98052**For only and daytime telephone number: **(425) 708-0104**For number: **(425) 836-7529**E-mail: **judyw@microsoft.com**

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one: ☒☐ Author☐ Other copyright claimant☐ Owner of exclusive rights☒ Authorized agent of **Microsoft Corporation**

Name of other or other copyright claimant, or owner of exclusive rights

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Typed or printed name and date If this application gives a date of publication in space 2, do not sign and submit it before that date

**Judy K.K. Weston**Date: **12.4.03**Handwritten signature (X) **Judy K.K. Weston**

Mail certificate to:

Certificate will be mailed in window envelope

Name **Microsoft Corporation, ATTN: Judy Weston**  
**Law and Corporate Affairs**Address **One Microsoft Way**City/State **Redmond, WA 98052**

1. Complete and mail this form to the Copyright Office.

2. Complete and mail this form to the Copyright Office.

3. Complete and mail this form to the Copyright Office.

4. Complete and mail this form to the Copyright Office.

5. Complete and mail this form to the Copyright Office.

6. Complete and mail this form to the Copyright Office.

7. Complete and mail this form to the Copyright Office.

8. Complete and mail this form to the Copyright Office.

9. Complete and mail this form to the Copyright Office.

10. Complete and mail this form to the Copyright Office.

WARNING: Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 405, or in any written statement that is connected with the application, shall be fined not more than \$5,000.

U.S. GOVERNMENT PRINTING OFFICE: 2000-400-090-000

# **Exhibit**

# **6**

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Myriam Peters*

Register of Copyrights, United States of America

FORM TX

For a Nonexclusive Library Work  
United States Copyright Office

TX 5-900-048

EFFECTIVE DATE OF REGISTRATION

JAN 09 2004

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

## TITLE OF THIS WORK

Microsoft Office Word 2003

## PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published or is to be published in a periodical, serial, or collection, give information about the collection, such as title, date of publication, and page.

If published in a periodical or serial give: Volume #

Number #

Issue Date

On Page #

## NAME OF AUTHOR

Microsoft Corporation

## DATES OF BIRTH AND DEATH

Year Born

Year Died

Was this contribution to the work a "work made for hire"?

Yes

No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR

Country of Birth

OR

Country of Residence

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous

Yes

No

Part of a collection

Yes

No

NATURE OF AUTHORSHIP If this work is a derivative work, state the title of the original work and the name of the author of the original work.

## NAME OF AUTHOR

## DATES OF BIRTH AND DEATH

Year Born

Year Died

Was this contribution to the work a "work made for hire"?

Yes

No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR

Country of Birth

OR

Country of Residence

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous

Yes

No

Part of a collection

Yes

No

NATURE OF AUTHORSHIP If this work is a derivative work, state the title of the original work and the name of the author of the original work.

## NAME OF AUTHOR

## DATES OF BIRTH AND DEATH

Year Born

Year Died

Was this contribution to the work a "work made for hire"?

Yes

No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR

Country of Birth

OR

Country of Residence

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous

Yes

No

Part of a collection

Yes

No

NATURE OF AUTHORSHIP If this work is a derivative work, state the title of the original work and the name of the author of the original work.

## YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2003

## DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Date

2003

Country

USA

COPYRIGHT CLAIMANTS Name and address must be given, even if the copyright is in the name of the publisher, as in the case of Y. Microsoft Corporation.

Law and Corporate Affairs

One Microsoft Way

Redmond, WA 98072

NOT RECORDED

JAN 09 2004

JAN 09 2004

JAN 09 2004

JAN 09 2004

JAN 09 2004

JAN 09 2004

MORE ON BACK

Complete all applicable sections (including Form TX) on the reverse side of this page. See detailed instructions.

NO OTHER INFORMATION

Page 1 of 1

EXAMINED BY

FORM EX

CHECKED BY

CORRESPONDENCE  
YesFOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION I have registered for this work, or for an earlier version of this work, already been made in the Copyright Office.

If Yes: ☐ No ☐ Yes. If your answer is "Yes," why is another registration being sought? (Check appropriate box) ☐ Yesa. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first published edition of a work previously registered in unpublished form.c. ☐ This is a changed version of the work, as shown by space 6 on this application.If your answer is "Yes," give Copyright Registration Number ☐ YesYear of Registration ☐ Yes  
2001

TX 6-371,428

DERIVATIVE WORK OR COMPILATION

Preexisting Material: Identify any preexisting work or works that this work is based on or incorporates. ☐ Yes

Previous version of this work copyrighted by various third parties

Material Added to This Work: Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ☐ Yes  
Additional programming text, additional written text, and editorial revisionsSee instructions  
before completing  
this spaceDEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.  
Name ☐ Yes  
Account Number ☐ Yes

Microsoft Corporation

DA063819

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Attn/Dept/Room/Fax ☐ Yes

Microsoft Corporation, ATTN: Judy Weston

One Microsoft Way

Redmond, WA 98052

Account and phone telephone number: (425) 700-8104

Facsimile: (425) 836-7322

Send to: judywe@microsoft.com

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one: ☐ Author☐ Owner of copyright claimant☐ Owner of exclusive right☒ Authorized agent of Microsoft Corporation

Name of owner or other copyright claimant, or owner of exclusive right: A

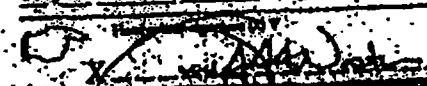
of this work described in this application and that the copyright claimant

by me in this application are coming by the best of my knowledge.

Typed or printed name and date: ☐ If this application gives a date of publication in space 2, do not sign and submit it before that date.

Judy K.K. Weston

Date: 1-07-04

Mail  
envelope  
for:Microsoft Corporation, ATTN: Judy Weston  
Law and Corporate AffairsCertified  
mail  
will be  
mailed in  
envelope  
enclosure

One Microsoft Way

Redmond, WA 98052

\*U.S. P. O. 3910. Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 402, or in any written statement that is submitted with the application, shall be fined not more than \$5,000.  
Copyright Office  
401 Independence Avenue, S.E.  
Washington, D.C. 20540-4074  
401. COPYRIGHT OFFICE OFFICE 1-800-454-0001

# **Exhibit**

# **7**

# CERTIFICATE OF REGISTRATION



OFFICIAL SEAL

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*  
REGISTER OF COPYRIGHTS  
United States of America

## FORM TX

For a Handbook Library Work  
UNITED STATES COPYRIGHT OFFICE

FORM

TX 5-837-818

EFFECTIVE DATE OF REGISTRATION

12-1-03

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

## TITLE OF THIS WORK

Microsoft Publisher 2003

## PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published as a periodical or serial give Volume Number Date On Page

2

## NAME OF AUTHOR

Microsoft Corporation

## DATES OF BIRTH AND DEATH

Year Born Year Dead

Was this contribution to the work a "work made for hire"?

☐ Yes☐ No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizenship of

Domiciled in

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Arrangement?

☐ Yes☒ No

Prearrangement?

☐ Yes☒ No

## NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (the employee is the author for any part of the work that was "made for hire" in the scope provided by the employer for other purposes for which the work was prepared) as "author" of that part, and hence the space for dates of birth and death blank.

## NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed.

Entire work - computer software program, documentation &amp; text on product packaging

## NAME OF AUTHOR

## DATES OF BIRTH AND DEATH

Year Born Year Dead

Was this contribution to the work a "work made for hire"?

☐ Yes☐ No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizenship of

Domiciled in

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Arrangement?

☐ Yes☐ No

Prearrangement?

☐ Yes☐ No

## NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed.

## NAME OF AUTHOR

## DATES OF BIRTH AND DEATH

Year Born Year Dead

Was this contribution to the work a "work made for hire"?

☐ Yes☐ No

## AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizenship of

Domiciled in

## WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Arrangement?

☐ Yes☐ No

Prearrangement?

☐ Yes☐ No

## NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed.

3

## YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2003

## DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Country of Publication

Date of First Publication

Month Day Year

Day Month Year

Day Month Year

Day Month Year

Day Month Year

Day Month Year

Day Month Year

Day Month Year

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Day Month Year

4

## COPYRIGHT CLAIMANT'S Name and address must be given even if the claimant is the author of the work given in space 1.

Microsoft Corporation

Law and Corporate Affairs

One Microsoft Way

Redmond, WA 98072

Redmond, WA 98072

Redmond, WA 98072

Redmond, WA 98072

Redmond, WA 98072

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Redmond, WA 98072

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ONE REPORT RECEIVED

ONE REPORT RECEIVED

MORE ON BACK • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.  
• See Added Information • Sign the form at the bottom.

DO NOT WRITE ABOVE  
Page 1 of 2 pages

EXAMINED BY <u>[Signature]</u>	FORM TX
CHECKED BY _____	
<input type="checkbox"/> CORRESPONDENCE	FOR
<input type="checkbox"/> Yes	COPYRIGHT
	OFFICE
	USE
	ONLY

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

PREVIOUS REGISTRATION This registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

a ☐ Yes ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ☐ Vb ☐ This is the first published edition of a work previously registered in unpublished formc ☐ This is the first application submitted by this author or copyright claimantd ☒ This is a changed version of the work, or shown by space 8 on this applicationIf your answer is "Yes," give Previous Registration Number VTX 6-921-424Year of Registration V2001

DERIVATIVE WORK OR COMPILED

Presenting Material Identify any presenting work or works that this work is based on or incorporates ☐ V

a Previous version &amp; text copyrighted by various third parties

b Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed ☐ V

Additional programming text, additional written text, and editorial revisions

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account

Name V

a Microsoft Corporation

DAO63619

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ☐ V

b Microsoft Corporation, ATTN: Judy Weston

One Microsoft Way

Redmond, WA 98002

Area code and daytime telephone number &gt; (425) 706-8104

Fax number &gt; (425) 936-7320

E-mail &gt; judywe@microsoft.com

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one &gt;

☐ author☐ other copyright claimant☐ owner of exclusive rights☒ authorized agent of Microsoft Corporation

(Name of author or other copyright claimant, or owner of exclusive rights)

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Typed or printed name and date ☐ V If this application gives a date of publication in space 3, do not sign and submit it before that date

Judy K K Weston

Date 11-11-03Handwritten signature ☐ VX [Signature]

Mail certificate to

Certificate will be mailed in window envelope

Name V Microsoft Corporation, ATTN: Judy Weston  
Law and Corporate AffairsNumber/Street V

One Microsoft Way

City/State V

Redmond, WA 98002

U.S.S. 100-1000 Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 405, or in any written statement that is connected with the application, shall be fined not more than \$5,000

© 2000 Copyright Office

U.S. GOVERNMENT PRINTING OFFICE: 2000-501-000-000

# **Exhibit**

# **8**



## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Margaret Peters*

Register of Copyrights, United States of America

FORM TX

For a Non-Dramatic Literary Work

UNITED STATES COPYRIGHT OFFICE

TX 5-877-513



EFFECTIVE DATE OF REGISTRATION

Jan 16 2004

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

## TITLE OF THIS WORK

Business Contact Manager for Microsoft Office Outlook 2003

## PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the publication in which the contribution appeared. Title of Collective Work

Published in a periodical or serial? Volume Number Issue Date

## NAME OF AUTHOR

Microsoft Corporation

## DATE OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a

work made for hire?

Yes No

## AUTHOR'S NATIONALITY OR DOMICILE

Country of

OR

Domiciled in

## WAS THIS AUTHOR'S CONTRIBUTION TO

THE WORK

Authorship

Yes No

Publication

Yes No

## NOTE

Under the law, the author of a work made for hire is the employer or other person for whom the work was prepared, if the work was prepared by an employee within the scope of his or her employment. For any other work, the author is the individual who created the work. If the work was created by two or more individuals, the authors are the individuals who created the work. If the work was created by a corporation, partnership, or other entity, the author is the entity. If the work was created by a joint authorship, the authors are the individuals who created the work.

NATURE OF AUTHORSHIP: Briefly describe nature of material created by this author in which copyright is claimed.

Entire work - Computer software program &amp; documentation

## NAME OF AUTHOR

Microsoft Corporation

## DATE OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a

work made for hire?

Yes No

## AUTHOR'S NATIONALITY OR DOMICILE

Country of

OR

Domiciled in

## WAS THIS AUTHOR'S CONTRIBUTION TO

THE WORK

Authorship

Yes No

Publication

Yes No

NATURE OF AUTHORSHIP: Briefly describe nature of material created by this author in which copyright is claimed.

Entire work - Computer software program &amp; documentation

## NAME OF AUTHOR

Microsoft Corporation

## DATE OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a

work made for hire?

Yes No

## AUTHOR'S NATIONALITY OR DOMICILE

Country of

OR

Domiciled in

## WAS THIS AUTHOR'S CONTRIBUTION TO

THE WORK

Authorship

Yes No

Publication

Yes No

NATURE OF AUTHORSHIP: Briefly describe nature of material created by this author in which copyright is claimed.

Entire work - Computer software program &amp; documentation

## YEAR IN WHICH CREATION OF THIS

WORK WAS COMPLETED

2003

## DATE AND NATION OF FIRST PUBLICATION OF THIS PARTIAL WORK

October 21, 2003

USA

## COPYRIGHT CLAIMANT'S Name and address to which all notices of infringement should be sent.

Microsoft Corporation

Law and Corporate Affairs

One Microsoft Way

Redmond WA 98052

## COPYRIGHT RECEIVED

JAN 16 2004

## TWO DEPOSITS RECEIVED

JAN 16 2004

## RECEIVED

MORE ON BACK

Complete all applicable spaces (numbers 1-8) on the reverse side of this page.

Do not detach this page.

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Page 1 of 1

EXAMINED BY	ROBERTA
CHECKED BY	
<input type="checkbox"/> CORRESPONDENCE	
FOR COPYRIGHT OFFICE USE ONLY	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for another version of this work, already been made in the Copyright Office?

Q Yes ☒ No ☐ If your answer is "Yes," why is another registration being sought? (Check appropriate box) ☐ V

a. ☐ This is the first published edition of a work previously registered in unpublished form.

b. ☐ This is the first application submitted by this author to copyright claimant.

c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give Previous Registration Number ☐ V

Year of Registration ☐ V

#### DERIVATIVE WORK OR COMPILATION

Preceding Material Identify any preceding work or works that this work is based on or incorporates. ☐ V

First copyrighted by various third parties

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ☐ V

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account. ☐ V

Microsoft Corporation

DAO63819

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. ☐ V

Microsoft Corporation, ATTN: Judy Weston

One Microsoft Way

Redmond, WA 98052

Area code and telephone number: (425) 703-9184

Facsimile: (425) 936-7329

E-mail: judywe@microsoft.com

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one: ☐ V

☐ author

☐ other copyright claimant

☐ owner of exclusive rights

☒ authorized agent of Microsoft Corporation

Name of author or other copyright claimant, or owner of exclusive rights: ☐ V

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ☐ V If this application gives date of publication in space 2, do not sign and submit it before that date.

Judy K. Weston

Date: 1.13.04

Has the fee been paid? ☒ V

This filing fee of \$35.00 is effective through June 30, 1998. After that date, please write the Copyright Office, since the Copyright Office does not have a fee schedule. Check (202) 757-5925 for the latest fee information.

Mail certificate to:

Certificate will be mailed in window envelope

Name ☐ V Microsoft Corporation, ATTN: Judy Weston  
Law and Corporate Affairs

Address ☐ V One Microsoft Way

City/State/Zip ☐ V Redmond, WA 98052

Copyright Office  
101 Independence Avenue, S.E.  
Washington, D.C. 20540-9900

U.S. Copyright Office  
101 Independence Avenue, S.E.  
Washington, D.C. 20540-9900  
October 1993 - \$2,000  
© 1993 U.S. Copyright Office  
#124 COPYRIGHT PRINTER OFFICE W04-40-61090/200

# **Exhibit**

# **9**

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America

**FORM TX**

For a Non-dramatic Literary Work  
UNITED STATES COPYRIGHT OFFICE

TX

TX 5-801-713



EFFECTIVE DATE OF REGISTRATION

3 20 04

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE USE A SEPARATE CONTINUATION SHEET

1

TITLE OF THIS WORK

Microsoft Office Access 2003

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give Volume Number Issue Date On Page

2

NAME OF AUTHOR

a Microsoft Corporation

DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

☒ Yes

☐ No

AUTHOR'S NATIONALITY OR DOMICILE

State of Country

OR ☐ Citizen of P

☐ Declassified info

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No

Pseudonym? ☐ Yes ☒ No

If the answer to either of these questions is "Yes" see detailed instructions

**NOTE**

Under this law the author of a work made for hire is considered the employer and the employee from whom the work was made for hire. For any part of this work that was made for hire check "Yes" in the space provided give the employer for other persons for whom the work was prepared by author of that part and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed

Entire work: computer software program, documentation & text on product packaging

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

☐ Yes

☒ No

AUTHOR'S NATIONALITY OR DOMICILE

State of Country

OR ☐ Citizen of P

☐ Declassified info

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No

Pseudonym? ☐ Yes ☒ No

If the answer to either of these questions is "Yes" see detailed instructions

NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

☐ Yes

☒ No

AUTHOR'S NATIONALITY OR DOMICILE

State of Country

OR ☐ Citizen of P

☐ Declassified info

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No

Pseudonym? ☐ Yes ☒ No

If the answer to either of these questions is "Yes" see detailed instructions

NATURE OF AUTHORSHIP Briefly describe the nature of material created by this author in which copyright is claimed

3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

a 2003

This information must be given

Year in all cases

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

b

Complete this information Month Day Year

USA

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 3

Microsoft Corporation  
Law and Corporate Affairs  
One Microsoft Way  
Redmond, WA 98052

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 3, give a brief statement of how the claimant(s) obtained ownership of the copyright

APPLICANT'S ADDRESS

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

MAR 20 2004  
FUNDS RECEIVED

MORE ON BACK

Complete all applicable spaces (numbers 5 & 6) on the reverse side of this page. See detailed instructions. Sign the back of this 6

DO NOT WRITE ABOVE THIS LINE  
Page 1 of 2 pages

EXAMINED BY JS FORM TX

CHECKED BY

☐ CORRESPONDENCE  
YesFOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE USE A SEPARATE CONTINUATION SHEET

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☒ Yes ☐ No If your answer is Yes, why is another registration being sought? (Check appropriate box) ☐ Va ☐ This is the first published edition of a work previously registered in unpublished formb ☐ This is the first application submitted by this author as copyright claimantc ☒ This is a changed version of the work, as shown by space 8 on this applicationIf your answer is Yes, give Previous Registration Number ☐ VYear of Registration ☐ V  
2004

## DERIVATIVE WORK OR COMPILATION

Presenting Material Identify any preexisting work or works that this work is based on or incorporates ☐ V

a Previous version &amp; files copyrighted by various third parties

b Material Added to This Work Give a brief general statement of the material that has been added to this work and in which copyright is claimed ☐ V  
Additional programming text, additional written text, and editorial revisions

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account

Name ☐ VAccount Number ☐ V

a Microsoft Corporation

DAG63818

CORRESPONDENCE Give name and address to which correspondence about this application should be sent ☐ V Name/Address/Apt./City/State/ZIPb Microsoft Corporation ATTN: Judy Weston  
One Microsoft Way  
Redmond, WA 98062

Apt. and phone number (number) (425) 706-8104

Fax number (425) 836-7329

E-mail judywe@microsoft.com

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one ☐ author☐ other copyright claimant☐ owner of exclusive rights

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

☒ authorized agent of Microsoft CorporationName of author or other copyright claimant, or owner of exclusive rights ☐ VTyped or printed name and date ☐ V If this application gives a date of publication in space 3, do not sign and submit it before that date

Judy K K Weston

Date March 4 2004

Handwritten signature ☒ VMail  
certificate  
toName ☐ V Microsoft Corporation ATTN: Judy Weston  
Law and Corporate AffairsNumber/Street ☐ V

One Microsoft Way

City/State/ZIP ☐ V

Redmond, WA 98062

Certificate  
will be  
mailed in  
window  
envelopeComplete all necessary checks  
Sign your application in space 61. Application fee  
2. Copyright fee (if you are checking or marking only  
registrable in the public domain)  
3. Deposit materialCopyright Office  
1077 North Capitol Street, N.E.  
Washington, D.C. 20002-4242

# **Exhibit**

# **10**

Int. Cls.: 9 and 42

Prior U.S. Cls.: 26, 38 and 101

United States Patent and Trademark Office

Reg. No. 1,200,236  
Registered Jul. 6, 1982

TRADEMARK  
SERVICE MARK  
Principal Register

MICROSOFT

Microsoft (partnership)  
Suite 819  
10800 NE 8th  
Bellevue, Wash. 98004

VICES, in CLASS 42 (U.S. Cl. 101).

First use Nov. 12, 1975; in commerce Nov. 12, 1975.

For: COMPUTER PROGRAMS, in CLASS 9  
(U.S. Cls. 26 and 38).

Ser. No. 236,080, filed Oct. 22, 1979.

First use Nov. 12, 1975; in commerce Nov. 12, 1975.

B. H. VERTIZ, Primary Examiner

For: COMPUTER PROGRAMMING SER-

CHERYL LYNNE HENDERSON, Examiner

#### Certificate of Correction

Registered July 6, 1982

Registration No. 1,200,236

Microsoft Corporation, by change of name and assignment from Microsoft

It is hereby certified that the above identified registration is in error requiring correction as follows:

In the statement, column 1, before line 1, *Microsoft Corporation (Washington corporation), 10700 Northup Way, Bellevue, Wash. 98004, by change of name and assignment from* should be inserted.

The said registration should be read as corrected above.

Signed and sealed this 3rd day of April 1984.



Attest:

*Michael L. Smith*

*Richard A. Smith*

# **Exhibit**

# **11**



Int. Cl.: 16

Prior U.S. Cl.: 38

**United States Patent and Trademark Office**

**Reg. No. 1,256,083**

**Registered Nov. 1, 1983**

**TRADEMARK**

**Principal Register**

**MICROSOFT**

Microsoft Corporation (Washington corporation)  
10700 Northup Way  
Bellevue, Wash. 98004

For: COMPUTER HARDWARE AND SOFTWARE MANUALS; NEWSLETTER FEATURING INFORMATION ABOUT COMPUTER HARDWARE AND SOFTWARE AND GENERAL INFORMATION RELATING TO COMPUTERS FOR MANUFACTURERS, DISTRIBUTORS, AND USERS OF COMPUTERS AND COMPUTER SOFTWARE; AND COMPUTER DOCUMENTATION—NAMESLY, REFERENCE, USER, INSTRUCTIONAL, AND GENERAL UTILITIES MANUALS AND DATA SHEETS FOR COMPUTER HARDWARE AND SOFTWARE USERS, in CLASS 16 (U.S. Cl. 38).

First use Nov. 1975; in commerce Nov. 1975.

Ser. No. 373,992, filed Jul. 12, 1982.

J. H. WEBB, Examining Attorney

# **Exhibit 12**

Int. Cl.: 9

Prior U.S. Cl.: 38

**United States Patent and Trademark Office**

Reg. No. 1,872,264

Registered Jan. 10, 1995

**TRADEMARK  
PRINCIPAL REGISTER**

**WINDOWS**

MICROSOFT CORPORATION (DELAWARE  
CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399

FIRST USE 10-18-1983; IN COMMERCE  
10-18-1983.

SEC. 2(F).

FOR: COMPUTER PROGRAMS AND MANU-  
ALS SOLD AS A UNIT; NAMELY, GRAPHICAL  
OPERATING ENVIRONMENT PROGRAMS  
FOR MICROCOMPUTERS, IN CLASS 9 (U.S.  
CL. 38).

SER. NO. 74-090,419, FILED 8-20-1990.

ESTHER BELENKER, EXAMINING ATTOR-  
NEY

# **Exhibit**

# **13**

Int. Cl.: 9

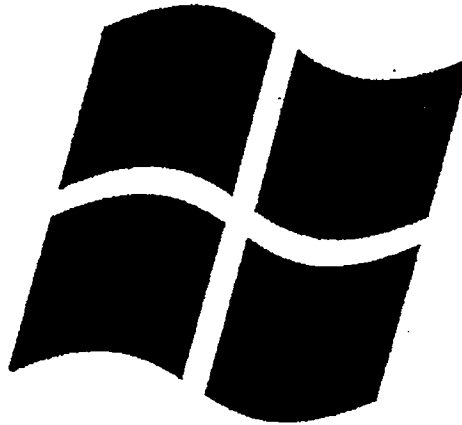
Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,744,843

United States Patent and Trademark Office

Registered July 29, 2003

TRADEMARK  
PRINCIPAL REGISTER



MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399

FOR: COMPUTER SOFTWARE, NAMELY, OPERATING SYSTEM PROGRAMS AND UTILITIES, WORD PROCESSING PROGRAMS, ADDRESS BOOK PROGRAMS, CALCULATOR PROGRAMS, TERMINAL EMULATION PROGRAMS, PROGRAMS FOR DOWNLOADING AND PLAYING AUDIO AND VIDEO, PROGRAMS FOR MANAGING COMPUTER POWER SUPPLIES, PROGRAMS FOR USE IN TRANSMITTING DATA BETWEEN COMPUTERS AND OTHER ELECTRONIC DEVICES, COMPUTER MAINTENANCE PROGRAMS, PROGRAMS FOR PROVIDING ENHANCED SPECIAL EFFECTS WHILE RUNNING GAME PROGRAMS, PROGRAMS FOR USE IN ACCESSING AND PLAYING CDS AND DVDS, BROWSER PROGRAMS, ACCESSIBILITY PROGRAMS TO MAKE COMPUTERS MORE USEFUL FOR PERSONS WITH DISABILITIES; PAINT PROGRAMS, NAMELY, COMPUTER SOFTWARE FOR USE IN CREATING, EDITING AND COLORING DRAWINGS; ELECTRONIC MAIL PROGRAMS; PROGRAMS FOR ELECTRONIC CONFERENCING; COMPUTER SOFTWARE FOR PLAYING VIDEO AND ELECTRONIC GAMES AND COMPUTER GAMES; USER MANUALS THEREFOR SOLD AS A UNIT THEREWITH; COMPUTERS; COMPUTER HARDWARE; AND FULL LINE OF COMPUTER APPLICATION PROGRAMS; COMPUTER PERIPHERALS; COMPU-

TER MICE AND POINTING DEVICES; HAND HELD COMPUTERS; DVD PLAYERS; DIGITAL CELLULAR PHONES; BLANK SMART CARDS, NAMELY, ENCODED ELECTRONIC CHIP CARDS CONTAINING PROGRAMMING FOR VARIOUS BUSINESS AND TECHNICAL FUNCTIONS; COMMUNICATION SERVERS, AND COMPUTER APPLICATION PROGRAMS AND OPERATING SYSTEM PROGRAMS FOR USE THEREWITH; COMPUTER PROGRAMS FOR MANAGING COMMUNICATIONS AND DATA EXCHANGE BETWEEN COMPUTERS AND ELECTRONIC DEVICES; VIDEO GAME MACHINES FOR USE WITH TELEVISIONS AND COMPUTERS, AND OPERATING SYSTEM SOFTWARE FOR USE THEREWITH; OPERATING SYSTEM SOFTWARE FOR USE IN PLAYING ELECTRONIC GAMES; COMPUTER HARDWARE AND PERIPHERALS; COMPUTER KEYBOARDS; COMPUTER AND VIDEO GAME JOYSTICKS; VIDEO GAME INTERACTIVE CONTROL FLOOR PADS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-26-2001; IN COMMERCE 3-26-2001.

OWNER OF U.S. REG. NOS. 1,815,350, 1,816,354, AND OTHERS.

THE MARK CONSISTS OF A FLAG DESIGN. THE UPPER LEFT PORTION OF THE FLAG IS RED, THE LOWER LEFT PORTION IS BLUE, THE UPPER RIGHT PORTION IS GREEN, AND THE LOWER RIGHT PORTION IS YELLOW. COLOR IS CLAIMED AS PART OF THE MARK.

# **Exhibit**

# **14**

Prior U.S. L. 38

Reg. No. 1,475,795

d Feb. 9, 1988

Int. CL: 9

Prior U.S. CL: 38

United States Patent and Trademark Office

Corrected

Reg. No. 1,475,795

Registered Feb. 9, 1988

OG Date June 28, 1988

TRADEMARK  
PRINCIPAL REGISTER

POWERPOINT

COMMERCE

987.

(NING ATTORNEY)

MICROSOFT CORPORATION (DELA-  
WARE CORPORATION)  
BOX 97017  
16111 NE WAY  
REDMOND, WA 98073-1117, ASSIGNEE  
OF FORETHOUGHT, INC. (CALIFOR-  
NIA CORPORATION) SUNNYVALE,  
CA

FOR: PRERECORDED COMPUTER  
PROGRAMS RECORDED ON MAGNET-  
IC DISKS, IN CLASS 9 (U.S. CL. 38).

FIRST USE 4-30-1987; IN COMMERCE  
4-30-1987.

SER. NO. 669,735, FILED 6-29-1987.



In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on June 28, 1988.

COMMISSIONER OF PATENTS AND TRADEMARKS

# **Exhibit 15**



Int. Cl.: 9

Prior U.S. Cl.: 38

**United States Patent and Trademark Office**

Reg. No. 1,741,086  
Registered Dec. 22, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**MICROSOFT ACCESS**

MICROSOFT CORPORATION (DELAWARE  
CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399

FIRST USE 9-19-1985; IN COMMERCE  
9-19-1985.

OWNER OF U.S. REG. NOS. 1,200,236, 1,682,075  
AND OTHERS.

FOR: COMPUTER PROGRAMS FOR USE  
WITH DATA BASES AND MANUALS THERE-  
FOR, SOLD AS A UNIT, IN CLASS 9 (U.S. CL.  
38).

SER. NO. 74-272,857, FILED 5-6-1992

KATHLEEN COONEY, EXAMINING ATTOR-  
NEY

# **Exhibit**

# **16**

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

**United States Patent and Trademark Office**

Reg. No. 2,188,125

Registered Sep. 8, 1998

**TRADEMARK  
PRINCIPAL REGISTER**

**OUTLOOK**

MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399 MICROSOFT CORPORATION (WASHINGTON CORPORATION)

FOR: COMPUTER PROGRAMS FOR PROVIDING ENHANCED ELECTRONIC MAIL AND SCHEDULING CAPABILITIES, FOR USE BY INDIVIDUAL COMPUTER USERS, NAMELY, COMPUTER PROGRAMS FOR MANAGING, VIEWING, AND EDITING FILES, DOCUMENTS, ELECTRONIC MAIL MESSAGES AND PRIVATE NETWORK AND GLOBAL COMPUTER NETWORK COMMUNICATIONS; COMPUTER PROGRAMS FOR MEETING AND EVENT SCHEDULING, MAN-

AGING GROUP CALENDARS, TASK DELEGATION AND REPORTING, RECORDING NOTES, TRANSFERRING DATA TO AND FROM DATA BASES AND TO AND FROM COMPUTER PROGRAMS AND COMPUTER FILES; ADDRESS BOOK PROGRAMS, TELEPHONE DIALING PROGRAMS, PROGRAMS FOR CORRECTING TYPOGRAPHICAL AND CAPITALIZATION ERRORS, PROGRAMS FOR TALLYING VOTING RESPONSES; AND INSTRUCTION MANUALS THEREFOR SOLD AS A UNIT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

SN 75-053,439, FILED 2-5-1996.

FRANCES G. SMITH, EXAMINING ATTORNEY

# **Exhibit**

# **17**

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,999,281

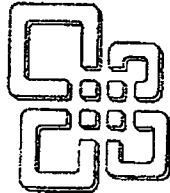
United States Patent and Trademark Office

Registered Sep. 20, 2005

Corrected

OG Date May 16, 2006

TRADEMARK  
PRINCIPAL REGISTER



MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 98052-6399

THE MARK CONSISTS OF FOUR SQUARE CROSS-SECTION SOLIDS EACH HAVING A GENERALLY SQUARE-SHAPED FRAME EXTENDING OUTWARDLY THEREFROM. COLOR IS CLAIMED AS A PART OF THE MARK. THE UPPER LEFT-HAND FRAME IS RED; THE UPPER RIGHT-HAND FRAME IS ORANGE; THE UPPER LEFT-HAND FRAME AND SQUARE ARE BLUE; THE LOWER LEFT-HAND FRAME AND SQUARE ARE YELLOW; THE LOWER RIGHT-HAND FRAME AND SQUARE ARE GREEN.

FOR: COMPUTER SOFTWARE, NAMELY, COMPUTER SERVER SOFTWARE FOR USE IN REAL-TIME COMMUNICATIONS FEATURING INSTANT MESSAGING, AUDIO, VIDEO AND DATA EXCHANGE, WEB CONFERENCING AND DOCUMENT SHARING; COMPUTER UTILITY PROGRAMS; COMPUTER SOFTWARE DEVELOPMENT PROGRAMS; COMPUTER SECUR-

ITY AND AUTHENTICATION SOFTWARE FOR CONTROLLING ACCESS TO AND COMMUNICATIONS WITH COMPUTERS; APPLICATION AND BUSINESS SOFTWARE FOR USE IN WORD PROCESSING, SPREADSHEETS, DATABASE MANAGEMENT, DATA COLLECTION, DATA ANALYSIS, GRAPHICS, CAD/CAM FOR GENERAL USE, PRESENTATION GRAPHICS, EMAIL, CALENDAR, SCHEDULING, MANAGING MAILING ADDRESS, TELEPHONE, EMAIL ADDRESS AND OTHER CONTACT INFORMATION, MAPPING, GEOGRAPHICAL LOCATIONS, ACCOUNTING, CUSTOMER RELATIONSHIP MANAGEMENT, PROJECT MANAGEMENT, DESKTOP PUBLISHING, AND WEB PUBLISHING; COMPUTER SOFTWARE FOR MANIPULATING VIDEO, AUDIO AND GRAPHICS; COMPUTER GAME SOFTWARE; COMPUTER COMMUNICATIONS SOFTWARE FOR MANAGING THE EXCHANGE OF COMMUNICATIONS AND DATA AND INFORMATION OVER COMPUTER NETWORKS, WIRELESS NETWORKS, AND GLOBAL COMMUNICATIONS NETWORKS; COMPUTER COMMUNICATIONS SOFTWARE FOR USE IN

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on May 16, 2006.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

ACCESSING WEBSITES AND EXCHANGING INFORMATION AND DATA AND OBTAINING SERVICES FROM WEBSITES, ALL IN THE FIELDS OF BUSINESS AND BUSINESS MANAGEMENT AND INFORMATION; COMPUTER SOFTWARE FOR USE IN DEVELOPING WEBSITES, OPERATING ELECTRONIC MAIL AND PROVIDING COMPUTER SECURITY; COMPUTER E-COMMERCE SOFTWARE TO ALLOW USERS TO PERFORM ELECTRONIC BUSINESS TRANSACTIONS VIA A GLOBAL COMPUTER NETWORK; COMPUTER SOFTWARE FOR NOTE-TAKING, NAMELY, COMPU-

TER SOFTWARE FOR RECORDING, ORGANIZING, EDITING AND TRANSMITTING INFORMATION IN TYPED, HANDWRITTEN AND VOICE FORMAT; COMPUTER COMMUNICATIONS SOFTWARE FOR ACCESSING WEB MESSAGING AND SHARED DOCUMENTS FROM WEBSITES ON THE INTERNET; AND HOUSE MARK FOR A FULL LINE OF BUSINESS SOFTWARE APPLICATIONS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 2-19-2003; IN COMMERCE 2-19-2003.

SER. NO. 78-976,277, FILED 11-25-2002.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on May 16, 2006.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE